

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 02/15/2023

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ENRIQUE OSORIO-FRANCO, on behalf of
himself and a class of similarly situated
investors,

Plaintiff,

v.

SPECTRUM PHARMACEUTICALS, INC.,
THOMAS J. RIGA, FRANCOIS J. LEBEL,
and NORA E. BRENNAN,

Defendants.

MEMO ENDORSED

Case No.: 1:22-cv-10292-VEC

Hon. Valerie E. Caproni

LUIS CARNEIRO, on behalf of himself and a
class of similarly situated investors,

Plaintiff,

v.

SPECTRUM PHARMACEUTICALS, INC.,
THOMAS J. RIGA, FRANCOIS J. LEBEL,
and NORA E. BRENNAN,

Defendants.

Case No.: 1:23-cv-00767-UA

**RESPONSE OF LEAD PLAINTIFF MOVANT
CHI HOON HA TO ORDER (ECF NO. 35)**

On February 9, 2023, the Court entered an Order directing “that, by no later than **February 14, 2023**, the parties in the cases numbered 22-cv-10292 and 22-cv-10677 must respond to Plaintiff’s request that the case numbered 23-cv-767 be consolidated with cases 22-cv-10292 and 22-cv-10677 pursuant to Federal Rule of Civil Procedure 42” (the “Order”). ECF. No. 35.

Pursuant to the Court’s Order, Chi Hoon Ha, lead plaintiff movant in case 22-cv-10292, respectfully submits that the cases referenced in the Court’s Order involve common questions of law and fact and that consolidation is therefore warranted under Federal Rule of Civil Procedure

42 in order to avoid unnecessary cost, delay, and overlap in adjudication.

Dated: February 14, 2023

Respectfully Submitted,

LEVI & KORSINSKY, LLP

By: /s/ Adam M. Apton
Adam M. Apton (AS-8383)
55 Broadway, 10th Floor
New York, NY 10006
Tel: (212) 363-7500
Fax: (212) 363-7171
Email: aapton@zlk.com

*Lead Counsel for Chi Hoon Ha and
[Proposed] Lead Counsel for the Class*

Because 22-CV-10292 and 23-CV-767 involve common questions of law and fact, and because the parties do not oppose consolidation, the Court consolidates these actions pursuant to Federal Rule of Civil Procedure 42(a)(2).

The Clerk of Court is respectfully directed to consolidate cases 22-CV-10292 and 23-CV-767 and to designate 22-CV-10292 as the lead case. All further submissions in this now-consolidated case must be filed under docket number 22-CV-10292.

SO ORDERED.



02/15/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE